

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHARLES DE CUIR,

Plaintiff,

v.

JOSEPH LEHMAN,

Defendant.

Case No. C04-5875FDB

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, the remaining record, and no objections to the report and recommendation having been filed, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) The complaint is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the courts order to provide service documents.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. Karen L. Strombom.

DATED this 4<sup>th</sup> day of April 2005.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE